IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.01.2007

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice N.PAUL VASANTHAKUMAR

W.A. No.2920 of 2003

G.Ranganathan .. Appellant/Petitioner

-vs-

1.State of Tamil Nadu,
rep. by its Secretary to Government,
Environment & Forests Dept.,
Fort St.George, Chennai 9.

2. State of Tamil Nadu, rep. by
its Secretary to Government,
Industries Department,
Fort St.George, Chennai 9.

3. Chairman,
Tamil Nadu Pollution Control Board,
Chennai 32. .. Respondents/Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order made in W.P.No.17836 of 1995, dated 06.01.1999.

W.P.No.17836 of 1995:- Writ petition is filed under Art 226 of the Constitution of India praying for an issuance of Writ of Mandamus directing the Respondents to notionally declare the petitioner as Assistant in Tamil Nadu Pollution Control Board from 11.1.1989 and confer the consequential benefits including further promotion.

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For Appellant : Mr.C.Selvaraju, S.C.
For Mr.S.Kamadevan

For Respondents : Ms. Bhavani Subbarayan,G.A. For R1 & R2
Mr.R.Ramanlaal for R3

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J U D G M E N T

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The above writ appeal is directed against the order of the learned single Judge dated 06.01.1999 made in W.P.No.17836 of 1995, in and by which the learned Judge after directing the Pollution Control Board to consider the grievance of the petitioners in the proper perspective and grant suitable reliefs, disposed of the writ petition filed by the petitioner/appellant as well as others.

2. Heard the learned Senior Counsel for the appellant as well as the learned counsel for the respondents.

3. The only grievance of the petitioner/appellant is that though he was appointed in the service of the Board as early as on 11.01.1989 as Assistant with required qualification including the educational qualification, when the Board has considered the case of one K.E.Mohanan who possessed the educational qualification at a later point of time, namely 30.06.1991, the petitioner was given different treatment and according to the learned counsel for the appellant, this aspect was not considered by the learned Judge.

4. We verified the details furnished in G.O.Ms.No.333 dated 12.10.1995 and other service particulars of the appellant as well as K.E.Mohanan. On going through the same, we are of the view that ends of justice would be met by directing the respondents to consider the grievance of the appellant for regularisation on par with the case of one K.E.Mohanan, Assistant working in the same Board, within a period of eight weeks from the date of receipt of a copy of this order. The Writ Appeal is disposed of on the above terms. No costs.

gms

Sd/
Asst.Registrar

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Sub Asst.Registrar

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To

1. Secretary to Government,State of Tamil Nadu,
   Environment & Forests Dept., Fort St.George, Chennai 9.

2. Secretary to Government,State of Tamil Nadu,
   Industries Department, Fort St.George, Chennai 9.

3. Chairman, Tamil Nadu Pollution Control Board,
   Chennai 32.

+ 1 cc to Mr. S. Mani, Advocate, SR No.1661

+ 1 cc to Mr. Ramanlaal, Advocate, SR No.1572

MJ(CO)
SR/20.1.2007

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